

## ADJOURNMENT.

On motion of Mr. Satterwhite, the House, at 4:45 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following committee has today filed favorable reports on bills as follows:

Highways and Motor Traffic: House bills Nos. 9, 15, 18, and Senate bill No. 28.

## ELEVENTH DAY.

(Thursday, May 26, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called and the following members were present:

Acker.	Graves.
Albritton.	Gray.
Alexander.	Hagaman.
Anderson.	Hall.
Avis.	Harding.
Barnett.	Harman.
Barron.	Hefley.
Bass.	High.
Bateman.	Hogg.
Beck.	Holland.
Bird.	Hornaday.
Black.	Jacks.
Boggs.	Johnson
Bonham.	of Anderson.
Boon.	Johnson
Branch.	of Dimmit.
Brown.	Jones.
Conway.	Justice.
Cornwell.	Keeton.
Cox.	Kemble.
Cummings.	Kennedy.
Daniel.	Kincaid.
Davis.	King of
DeBerry.	Throckmorton.
Denman.	Kirkland.
Dielmann.	Land.
Duvall.	Lewis.
Enderby.	Lipscomb.
Eickenroht.	Long.
Farrar.	Masterson.
Faulk.	McCombs.
Fly.	McGill.
Forbes.	McKean.
Foster.	Merritt.
Gates.	Minor.
Gibson.	Montgomery.
Gilbert.	Morse.

Nabors.	Smyth.
Nicholson.	Snelgrove.
Olsen.	Stell.
Parish of Runnels.	Stevenson.
Parrish of Travis.	Storey.
Pavlica.	Stout.
Petsch.	Swain.
Poage.	Taylor.
Pool.	Teer.
Pope.	Tillotson.
Porter.	Turner.
Powell.	Van Zandt.
Purl.	Veatch.
Rawlins.	Waddell.
Renfro	Walker.
of Angelina.	Wallace
Renfro of Mills.	of Freestone.
Rogers of Hays.	Wallace of Smith.
Rogers of Shelby.	Ware.
Runge.	Webb.
Sanders.	Wells.
Satterwhite.	Whitaker.
Shaver.	Williams
Shearer.	of Sabine.
Sheats.	Williams
Shirley.	of Travis.
Simmons.	Williamson.
Smith of El Paso.	Woodall.
Smith of Nueces.	Woodruff.
Smith of Smith.	Young.

Absent.

Loftin.

Absent—Excused.

Brice.	Moursund.
Dunlap.	Murphy.
Finlay.	Pearce.
Fuchs.	Reagan.
Holder.	Rowell.
Kayton.	Sinks.
Kenyon.	Smith of Atascosa.
King of Hopkins.	Sutton.
Kinnear.	Wallace of Panola.
Kirby.	Wassell.
Loy.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Bonham for today, on motion of Mr. Turner.

Mr. Reagan for today, on motion of Mr. Smith of Smith.

Mr. Moursund for today, on motion of Mr. Alexander.

Mr. Kenyon and Mr. Sutton for today and the balance of the week, on motion of Mr. Jones.

TEXAS STATE LIBRARY

Austin, Texas

Mr. Denman for today, on motion of Mr. Jones.

Mr. Kirby for today, on motion of Mr. Hogg.

Mr. Wallace of Panola for today and the balance of the week, on motion of Mr. Brown.

Mr. Murphy for today, on motion of Mr. Wallace of Smith.

Mr. Wassell for today, on motion of Mr. Walker.

Mr. Finlay for today and the balance of the week, on motion of Mr. Merritt.

Mr. Pearce for today and the balance of the week, on motion of Mr. Black.

Mr. Brice for today and the balance of the week, on motion of Mr. Graves.

The following members were granted leaves of absence on account of illness:

Mr. Sinks for today and the balance of the week on account of death in the family, on motion of Mr. Dielmann.

Mr. Fuchs for today, on motion of Mr. Boggs.

Mr. Loy for today, on motion of Mr. Van Zandt.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Long:

H. B. No. 46. A bill to be entitled "An Act prohibiting the placing or erection of any signs or billboards bearing advertisements or road information along or upon any authorized State highway in this State except such as are placed by the State Highway Department, or associations authorized by the State Highway Department, which shall contain road information only; prescribing a penalty for the violation thereof, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Brown and Mr. Land:

H. B. No. 47. A bill to be entitled "An Act to amend Articles 2922a, 2922b, 2922h, and 2922i, of Chapter 19a, Revised Civil Statutes, 1925, so as to authorize the formation of rural high school districts by the grouping of two or more adjacent independent school districts of two hundred and fifty (250) scholastics or less and annexing com-

mon school districts thereto for high school purposes; providing for the issuance and sale of bonds by trustees of rural high school districts; authorizing the trustees of rural high school districts, when authorized by majority vote of the property taxpayers of such districts, to levy and collect an annual ad valorem tax not to exceed \$1 on the \$100 valuation of taxable property of the district for the maintenance of schools therein and a tax not to exceed fifty cents (50c) on the \$100 valuation of taxable property of the district for the purpose of the payment of accounts legally contracted in purchasing, constructing, repairing or equipping public free school buildings within the limits of such district and the purchase of necessary sites therefor; provided that the amount of bond tax of the district shall never exceed \$1 on the \$100 valuation of taxable property, and declaring an emergency."

Referred to Committee on Education.

By Mr. Brown, Mr. Smyth, Mr. Satterwhite and Mr. Walker:

H. B. No. 48. A bill to be entitled "An Act to provide for increasing or diminishing the area of an independent school district upon petition of qualified resident property taxpaying voters; providing for the formation of new districts by the county board out of territory detached from independent districts; providing for increasing or diminishing the area of common school districts or abolishing common school districts by the county board upon petition of a majority of the qualified voters in the territory affected; removing the maximum limit on the area of an independent school district and validating all school districts heretofore created; providing for a method of securing a county board of school trustees in any county that fails to comply with the law in selecting such county board; providing for the adjustment of district properties and bonded indebtedness against such a just and equitable basis, and repealing all laws, general or special, in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Fly, Mr. Poage, Mr. Jones and Mr. Shaver:

H. B. No. 49. A bill to be entitled "An Act relating to free text books for the public free schools of this State;

amending Sections 30, 31, 33, 34 and 39, and repealing Sections 40 and 41 of Chapter 176 of the General Laws of the Regular Session of the Thirty-ninth Legislature of this State; providing for the setting aside of funds for free text books used in the public free schools of this State; requiring reports as to the funds for said text books; providing for the distribution of the amount set aside for free text books direct to the schools using such books and the purchase of same by such schools themselves from the various text book depositories or agencies, and providing that any free text book moneys not so used by any such school shall become a part of its available school moneys and may be used by it for general school purposes; making the necessary changes in the statutes to accomplish the main purpose of this act, and declaring an emergency."

Referred to Committee on Education.

By Mr. Acker:

H. B. No. 50, A bill to be entitled "An Act to amend the Revised Civil Statutes of 1925 by adding to Article 7373 an Article 7373a, so as to provide that where a plea of not guilty is followed by a special plea, this shall in no case confine the proof to the matters specially pleaded; and also that if a formal plea of trespass to try title is followed by matters specially pleaded the proof shall not in any case be limited to the matters pleaded specially."

Referred to Judiciary Committee.

By Mr. Acker:

H. B. No. 51, A bill to be entitled "An Act adding Article 5523a to the Revised Civil Statutes of Texas, of 1925, and providing that where a married woman's acknowledgment to her deed or other instrument affecting lands appears to be defectively taken or certified, and where such instrument has been of record for ten years, and title has been claimed and asserted under such instrument for such period of ten years, and where the validity of such instrument has not been brought in question by the interested parties by any action in court during said period, that the acknowledgment shall be conclusively presumed to have been taken in accordance with law; that the transaction shall be in all respects validated; and that any action to recover the land or set aside or have said instrument declared to be inoperative shall be barred by the statute of limitations, to which

statute coverture and other disabilities shall be no answer."

Referred to Judiciary Committee.

By Mr. Brown, Mr. Shaver and Mr. Fly:

H. B. No. 52, A bill to be entitled "An Act authorizing the creation of junior college districts for the purpose of establishing, maintaining, operating and supporting junior colleges; providing the conditions upon which and the method by which such districts may be created; providing for board of junior college trustees; authorizing the levy, assessment and collection of taxes for the support and maintenance of junior colleges within such districts and the issuance of bonds by such districts; recognizing and validating the acts of cities or independent school districts heretofore had looking to the establishment and organization of junior colleges, and declaring an emergency."

Referred to Committee on Education.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Simmons, House bill No. 37 was ordered not printed.

On motion of Mr. Runge, House bill No. 41 was ordered not printed.

#### BILL RE-REFERRED.

On motion of Mr. Powell, House bill No. 17 was re-referred to the Committee on Live Stock and Stock Raising.

#### RELATING TO SENATE BILL NO. 5.

On motion of Mr. Poage, consideration of Senate bill No. 5 was postponed until 2 o'clock p. m. today.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 26, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills and resolutions:

S. B. No. 7. A bill to be entitled "An Act making an appropriation for the year ending August 31, 1928, and for the year ending August 31, 1929, the same or so much thereof as may be necessary to be for the purpose of promoting rural school education and equalizing the school opportunities afforded by the State to all school chil-

dren of scholastic age living in small and financially weak districts, etc., and declaring an emergency."

S. B. No. 23, A bill to be entitled "An Act relating to the jurisdiction of the county court of Menard county, conferring upon said court civil and criminal jurisdiction and increasing the criminal and civil jurisdiction of said court; conforming the jurisdiction of the district court of said county to such change; fixing the time of holding court and to repeal all laws in conflict with this act, and declaring an emergency."

S. B. No. 24, A bill to be entitled "An Act relating to the jurisdiction of the county court of Sterling county, conferring upon said court civil and criminal jurisdiction and increasing the criminal and civil jurisdiction of said court; conforming the jurisdiction of the district court of said county to such change; fixing the time of holding court and to repeal all laws in conflict with this act, and declaring an emergency."

S. B. No. 25, A bill to be entitled "An Act relating to the jurisdiction of the county court of Irion county, conferring upon said court civil and criminal jurisdiction and increasing the criminal and civil jurisdiction of said court, conforming the jurisdiction of the district court of said county to such change; fixing the time of holding court and to repeal all laws in conflict with this act, and declaring an emergency."

S. B. No. 26, A bill to be entitled "An Act to change and prescribe the time for holding district court of the Fifty-first Judicial District of the State, and to conform all writs and process from such court to such changes and to make all writs and process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of court in the several counties in said district, as herein fixed, and to validate the summoning of grand juries and petit juries; and providing for the continuation of court in session in said district when this act takes effect, to the end of its term; and repealing all laws and parts of laws in conflict herewith."

S. B. No. 31, A bill to be entitled "An Act ratifying and validating an election heretofore held in and throughout Dimmit county, Texas, upon the question authorizing the issuance of \$560,000 special road bonds of said county, and levying a tax in pay-

ment thereof; ratifying and validating the petition for such election, the order calling such election and notices thereof, and all orders passed by the commissioners court of said county in respect thereto, etc., and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 26, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 4, Providing for formal acceptance of gift from United Daughters of the Confederacy.

Respectfully,

MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### HOUSE BILL NO. 41 ON SECOND READING.

Mr. Runge moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 41, A bill to be entitled "An Act for the relief of the Independent School District of Rock Springs and the city of Rock Springs, in Edwards county, Texas, in order to aid said municipalities in the reconstruction of public property destroyed by the recent cyclone in that community on the 12th day of April, 1927; granting and appropriating to said school district the sum of fifty thousand (\$50,000) dollars for school building purposes, the sum of fifteen thousand (\$15,000) dollars for equipping school buildings, the sum of ten thousand (\$10,000) dollars for maintenance of its schools, for the school year ending in 1928, and the sum of five thousand (\$5,000) dollars for maintenance of its schools for the school year ending in 1929; granting and appropriating to said city of Rock Springs the sum of twenty thousand (\$20,000) dollars for rebuilding and rehabilitating its waterworks system; prescribing manner in which the funds hereby granted and appropriated shall be paid, and declaring an emergency."

The motion prevailed by the following vote:

## Yeas—91.

Mr. Speaker.	Kennedy.
Albritton.	Kincaid.
Alexander.	Land.
Anderson.	Lewis.
Barnett.	Long.
Barron.	Masterson.
Bass.	McCombs.
Bateman.	McKean.
Bird.	Merritt.
Black.	Montgomery.
Boggs.	Nabors.
Bonham.	Nicholson.
Boon.	Olsen.
Branch.	Pavlica.
Brown.	Porter.
Conway.	Powell.
Cornwell.	Purl.
Cummings.	Rawlins.
Daniel.	Renfro
Davis.	of Angelina.
Dielmann.	Rogers of Hays.
Duvall.	Rogers of Shelby.
Enderby.	Rowell.
Eickenroht.	Runge.
Farrar.	Sanders.
Faulk.	Satterwhite.
Fly.	Shearer.
Forbes.	Shirley.
Foster.	Smith of Nueces.
Gates.	Smith of Smith.
Gibson.	Snelgrove.
Gilbert.	Stevenson.
Gray.	Storey.
Hagaman.	Stout.
Hall.	Taylor.
Harding.	Teer.
Harman.	Tillotson.
Hefley.	Waddell.
High.	Wallace of Smith.
Hogg.	Ware.
Hornaday.	Webb.
Johnson	Wells.
of Anderson.	Whitaker.
Johnson	Williamson.
of Dimmit.	Woodall.
Jones.	Woodruff.
Keeton.	Young.
Kemble.	

## Nays—7.

Graves.	Kirkland.
Justice.	Parish of Runnels.
King of	Van Zandt.
Throckmorton.	Walker.

## Present—Not Voting.

DeBerry.

## Absent.

Acker.	Loftin.
Avis.	McGill.
Beck.	Minor.
Holland.	Morse.
Jacks.	Parrish of Travis.
Lipscomb.	Petsch.

Poage.	Swain.
Pool.	Turner.
Pope.	Veatch.
Shaver.	Wallace
Sheats.	of Freestone.
Simmons.	Williams
Smith of El Paso.	of Sabine.
Smyth.	Williams
Stell.	of Travis.

## Absent—Excused.

Brice.	Loy.
Cox.	Moursund.
Denman.	Murphy.
Dunlap.	Pearce.
Finlay.	Reagan.
Fuchs.	Renfro of Mills.
Holder.	Sinks.
Kayton.	Smith of Atascosa.
Kenyon.	Sutton.
King of Hopkins.	Wallace of Panola.
Kinnear.	Wassell.
Kirby.	

The Speaker then laid before the House on its second reading and passage to engrossment,

H. B. No. 41, A bill to be entitled "An Act for the relief of the Independent School District of Rock Springs and the city of Rock Springs, in Edwards county, Texas, in order to aid said municipalities in the reconstruction of public property destroyed by the recent cyclone in that community on the 12th day of April, 1927; granting and appropriating to said school district the sum of fifty thousand (\$50,000) dollars for school building purposes, the sum of fifteen thousand (\$15,000) dollars for equipping school buildings, the sum of ten thousand (\$10,000) dollars for maintenance of its schools, for the school year ending in 1928, and the sum of five thousand (\$5,000) dollars for maintenance of its schools for the school year ending in 1929; granting and appropriating to said city of Rock Springs the sum of twenty thousand (\$20,000) dollars for rebuilding and rehabilitating its waterworks system; prescribing manner in which the funds hereby granted and appropriated shall be paid, and declaring an emergency."

The bill was read second time.

Mr. Tillotson offered the following amendment to the bill:

Amend House bill No. 41 by striking out "Section 2" of the bill, and conform the remaining sections and caption accordingly.

Mr. Tillotson moved that the bill and the amendment be re-referred to the Judiciary Committee, with instructions that the committee make the bill con-

form with the provision of the pending amendment.

(Mr. Rawlins in the chair.)

Mr. Fly moved to table the motion by Mr. Tillotson.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—76.

Alexander.	McGill.
Anderson.	McKean.
Barnett.	Minor.
Barron.	Montgomery.
Bateman.	Morse.
Beck.	Nabors.
Bird.	Nicholson.
Black.	Parrish of Travis.
Boggs.	Pool.
Bonham.	Powell.
Boon.	Purl.
Branch.	Rawlins.
Brown.	Renfro
Conway.	of Angelina.
Cornwell.	Rogers of Hays.
Cox.	Rogers of Shelby.
Cummings.	Rowell.
Daniel.	Runge.
Enderby.	Satterwhite.
Fly.	Shearer.
Forbes.	Smith of El Paso.
Foster.	Smith of Nueces.
Gibson.	Smith of Smith.
Gilbert.	Smyth.
Graves.	Stevenson.
Gray.	Stout.
Hagaman.	Teer.
Hall.	Turner.
Harman.	Veatch.
Hogg.	Waddell.
Hornaday.	Wallace
Jacks.	of Freestone.
Johnson	Webb.
of Dimmit.	Wells.
Justice.	Whitaker.
Keeton.	Williams
Kemble.	of Travis.
Kincaid.	Williamson.
Land.	Woodall.
Lewis.	Woodruff.
Masterson.	Young.
McCombs.	

Nays—30.

Acker.	King of
Albritton.	Throckmorton.
Avis.	Kirkland.
DeBerry.	Lipscomb.
Duvall.	Long.
Farrar.	Merritt.
Faulk.	Poage.
Harding.	Pope.
High.	Porter.
Johnson	Snelgrove.
of Anderson.	Stell.
Jones.	Storey.
Kennedy.	Swain.

Taylor.  
Tillotson.  
Van Zandt.

Walker.  
Wallace of Smith.  
Ware.

Absent.

Bass.	Pavlica.
Davis.	Petsch.
Dielmann.	Sanders.
Eickenroht.	Shaver.
Gates.	Sheats.
Hefley.	Shirley.
Holland.	Simmons.
Loftin.	Williams
Olsen.	of Sabine.
Parish of Runnels.	

Absent—Excused.

Brice.	Loy.
Denman.	Moursund.
Dunlap.	Murphy.
Finlay.	Pearce.
Fuchs.	Reagan.
Holder.	Renfro of Mills.
Kayton.	Sinks.
Kenyon.	Smith of Atascosa.
King of Hopkins.	Sutton.
Kinnear.	Wallace of Panola.
Kirby.	Wassell.

(Speaker in the chair.)

Mr. Stevenson moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Tillotson, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—36.

Acker.	Long.
Albritton.	McCombs.
Alexander.	Merritt.
Avis.	Poage.
Black.	Porter.
Branch.	Rawlins.
Cornwell.	Satterwhite.
DeBerry.	Snelgrove.
Farrar.	Stell.
Fly.	Swain.
Graves.	Taylor.
Harman.	Tillotson.
High.	Van Zandt.
Justice.	Walker.
Kennedy.	Wallace
Kincaid.	of Freestone.
King of	Ware.
Throckmorton.	Woodruff.
Kirkland.	Young.

Nays—73.

Anderson.	Bateman.
Barnett.	Beck.
Barron.	Bird.

Boggs.	Montgomery.
Bonham.	Morse.
Boon.	Nabors.
Brown.	Nicholson.
Conway.	Olsen.
Cummings.	Parish of Runnels.
Daniel.	Parrish of Travis.
Davis.	Pool.
Dielmann.	Powell.
Duvall.	Purl.
Enderby.	Renfro
Eickenroht.	of Angelina.
Faulk.	Rogers of Hays.
Forbes.	Rogers of Shelby.
Foster.	Runge.
Gibson.	Sanders.
Gilbert.	Shearer.
Gray.	Shirley.
Hagaman.	Smith of El Paso.
Hall.	Smith of Nueces.
Harding.	Smith of Smith.
Hogg.	Stevenson.
Hornaday.	Storey.
Jacks.	Stout.
Johnson	Teer.
of Dimmit.	Turner.
Jones.	Veatch.
Keeton.	Waddell.
Kemble.	Wallace of Smith.
Land.	Webb.
Lewis.	Wells.
Lipscomb.	Whitaker.
Masterson.	Williamson.
McGill.	Woodall.
McKean.	

## Absent.

Bass.	Pope.
Gates.	Rowell.
Hefley.	Shaver.
Holland.	Sheats.
Johnson	Simmons.
of Anderson.	Smyth.
Loftin.	Williams
Minor.	of Sabine.
Pavlica.	Williams
Petsch.	of Travis.

## Absent—Excused.

Brice.	Loy.
Cox.	Moursund.
Denman.	Murphy.
Dunlap.	Pearce.
Finlay.	Reagan.
Fuchs.	Renfro of Mills.
Holder.	Sinks.
Kayton.	Smith of Atascosa.
Kenyon.	Sutton.
King of Hopkins.	Wallace of Panola.
Kinnear.	Wassell.
Kirby.	

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 41 was then passed to engrossment by the following vote:

## Yeas—84.

Anderson.	McKean.
Barnett.	Merritt.
Barron.	Montgomery.
Bateman.	Morse.
Beck.	Nabors.
Bird.	Nicholson.
Black.	Olsen.
Boggs.	Parrish of Travis.
Bonham.	Pool.
Brown.	Pope.
Conway.	Powell.
Cornwell.	Purl.
Cummings.	Rawlins.
Daniel.	Renfro
Davis.	of Angelina.
Dielmann.	Rogers of Hays.
Duvall.	Rogers of Shelby.
Eickenroht.	Rowell.
Faulk.	Runge.
Fly.	Sanders.
Forbes.	Satterwhite.
Foster.	Shearer.
Gibson.	Shirley.
Gilbert.	Simmons.
Graves.	Smith of El Paso.
Gray.	Smith of Nueces.
Hagaman.	Smith of Smith.
Hall.	Stell.
Harding.	Stevenson.
Harman.	Storey.
Hogg.	Stout.
Hornaday.	Teer.
Jacks.	Tillotson.
Johnson	Turner.
of Dimmit.	Veatch.
Jones.	Waddell.
Keeton.	Wallace of Smith.
Kemble.	Ware.
Kennedy.	Webb.
Land.	Wells.
Lewis.	Williams of Travis.
Lipscomb.	Williamson.
Masterson.	Woodruff.
McGill.	

## Nays—24.

Acker.	Long.
Albritton.	McCombs.
Alexander.	Poage.
Avis.	Porter.
Boon.	Snelgrove.
Branch.	Swain.
DeBerry.	Taylor.
Enderby.	Van Zandt.
High.	Walker.
Kincaid.	Whitaker.
King of	Woodall.
Throckmorton.	Young.
Kirkland.	

## Present—Not Voting.

Justice.

## Absent.

Bass.	Pavlica.
Farrar.	Petsch.
Hefley.	Shaver.
Holland.	Sheats.
Johnson	Smyth.
of Anderson.	Wallace
Loftin.	of Freestone.
Minor.	Williams
Parish of Runnels.	of Sabine.

## Absent—Excused.

Brice.	Kirby.
Cox.	Loy.
Denman.	Moursund.
Dunlap.	Murphy.
Finlay.	Pearce.
Fuchs.	Reagan.
Gates.	Renfro of Mills.
Holder.	Sinks.
Kayton.	Smith of Atascosa.
Kenyon.	Sutton.
King of Hopkins.	Wallace of Panola.
Kinnear.	Wassell.

## Reasons for Votes.

I vote "nay" on the engrossment of House bill No. 41, because I think we are setting a precedent that will lead far afield in making an appropriation to reimburse for loss of public property not covered by insurance by a tornado.

## YOUNG.

I vote "nay" on the passage of House bill No. 41 for the reason, first, that I believe it unconstitutional, and, second, that such action is a bad precedent.

## BOON.

I vote against House bill No. 41, known as the Runge aid bill for Rock Springs, for the following reasons:

First. I do not think the Constitution authorizes the Legislature to pay money out of the Treasury for the aid of any town, city or county.

Second. I think aid for waterworks is not of importance to the State, while the school is a State institution that should be assisted. However, I think \$70,000 too expensive for 300 scholastics. However, I would have voted to remit the taxes in said Rock Springs school district.

## ALBRITTON.

## HOUSE BILL NO. 41 ON THIRD READING.

Mr. Runge moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 41 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	McGill.
Acker.	Merritt.
Alexander.	Minor.
Anderson.	Montgomery.
Barnett.	Morse.
Barron.	Nabors.
Bateman.	Nicholson.
Beck.	Parrish of Travis.
Bird.	Poage.
Black.	Pool.
Boggs.	Pope.
Bonham.	Porter.
Branch.	Powell.
Brown.	Purl.
Conway.	Rawlins.
Cornwell.	Renfro
Cummings.	of Angelina.
Daniel.	Rogers of Hays.
Davis.	Rogers of Shelby.
DeBerry.	Rowell.
Dielmann.	Runge.
Duvall.	Sanders.
Eickenroht.	Satterwhite.
Faulk.	Shearer.
Fly.	Shirley.
Forbes.	Simmons.
Foster.	Smith of El Paso.
Gibson.	Smith of Nueces.
Graves.	Smith of Smith.
Gray.	Smyth.
Hagaman.	Snelgrove.
Hall.	Stell.
Harding.	Stevenson.
Harman.	Storey.
High.	Stout.
Hogg.	Swain.
Holland.	Taylor.
Hornaday.	Teer.
Jacks.	Tillotson.
Johnson	Turner.
of Dimmit.	Veatch.
Jones.	Waddell.
Justice.	Wallace of Smith.
Keeton.	Ware.
Kemble.	Webb.
Kennedy.	Wells.
Land.	Williams
Lewis.	of Travis.
Lipscomb.	Williamson.
Long.	Woodall.
Masterson.	Woodruff.
McCombs.	Young.

Nays—10.

Albritton.	Kirkland.
Avis.	Olsen.
Boon.	Van Zandt.
Enderby.	Walker.
King of	Whitaker.
Throckmorton.	

Absent.

Bass.	Farrar.
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Gates.  
Gilbert.  
Hefley.  
Johnson  
of Anderson.  
Kincaid.  
Loftin.  
McKean.  
Parish of Runnels.

Pavlica.  
Petsch.  
Shaver.  
Sheats.  
Wallace  
of Freestone.  
Williams  
of Sabine.

Absent—Excused..

Brice.  
Cox.  
Denman.  
Dunlap.  
Finlay.  
Fuchs.  
Holder.  
Kayton.  
Kenyon.  
King of Hopkins.  
Kinnear.  
Kirby.

Loy.  
Moursund.  
Murphy.  
Pearce.  
Reagan.  
Renfro of Mills.  
Sinks.  
Smith of Atascosa.  
Sutton.  
Wallace of Panola.  
Wassell.

The Speaker then laid House bill No. 41 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—88.

Mr. Speaker.	Johnson
Acker.	of Dimmit.
Anderson.	Jones.
Barnett.	Keeton.
Barron.	Kemble.
Bateman.	Kennedy.
Beck.	Land.
Bird.	Lewis.
Black.	Lipscomb.
Boggs.	Masterson.
Bonham.	McGill.
Conway.	McKean.
Cornwell.	Merritt.
Cummings.	Minor.
Daniel.	Montgomery.
Davis.	Morse.
Dielmann.	Nabors.
Eickenroht.	Nicholson.
Faulk.	Olsen.
Fly.	Parrish of Travis.
Forbes.	Pool.
Foster.	Pope.
Gibson.	Porter.
Gilbert.	Powell.
Graves.	Purl.
Gray.	Rawlins.
Hagaman.	Renf o
Hall.	of Angelina.
Harding.	Rogers of Hays.
Harman.	Rogers of Shelby.
Hogg.	Rowell.
Holland.	Runge.
Hornaday.	Sanders.
Jacks.	Satterwhite.

Shearer.  
Shirley.  
Simmons.  
Smith of El Paso.  
Smith of Nueces.  
Smith of Smith.  
Snelgrove.  
Stell.  
Stevenson.  
Storey.  
Stout.  
Teer.

Tillotson.  
Turner.  
Veatch.  
Waddell.  
Wallace of Smith.  
Ware.  
Webb.  
Wells.  
Williams  
of Travis.  
Williamson.  
Woodruff.

Nays—19.

Albritton.	Kirkland.
Alexander.	Long.
Avis.	McCombs.
Boon.	Poage.
Branch.	Swain.
DeBerry.	Taylor.
Enderby.	Van Zandt.
Kincaid.	Walker.
King of	Whitaker.
Throckmorton.	Young.

Present—Not Voting.

Justice.

Absent.

Bass.	Pavlica.
Brown.	Petsch.
Duvall.	Shaver.
Farrar.	Sheats.
Gates.	Smyth.
Hefley.	Wallace
High.	of Freestone.
Johnson	Williams
of Anderson.	of Sabine.
Loftin.	Woodall.
Parish of Runnels.	

Absent—Excused.

Brice.	Loy.
Cox.	Moursund.
Denman.	Murphy.
Dunlap.	Pearce.
Finlay.	Reagan.
Fuchs.	Renfro of Mills.
Holder.	Sinks.
Kayton.	Smith of Atascosa.
Kenyon.	Sutton.
King of Hopkins.	Wallace of Panola.
Kinnear.	Wassell.
Kirby.	

#### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 31, to the Committee on Highways and Motor Traffic.

Senate bill No. 26, to the Judiciary Committee.

Senate bill No. 25, to the Judiciary Committee.

Senate bill No. 24, to the Judiciary Committee.

Senate bill No. 23, to the Judiciary Committee.

Senate bill No. 7, to the Committee on Appropriations.

### RECESS.

On motion of Mr. Williamson, the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m. today.

### AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by Speaker Bobbitt.

### HOUSE BILL NO. 9 ON SECOND READING.

Mr. Satterwhite moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment, House bill No. 9.

The motion prevailed by the following vote:

Yeas—92.

Albritton.	High.
Alexander.	Hogg.
Anderson.	Holland.
Avis.	Hornaday.
Barnett.	Johnson
Bass.	of Dimmit.
Bateman.	Jones.
Bird.	Justice.
Black.	Keeton.
Boggs.	Kennedy.
Boon.	King of
Branch.	Throckmorton.
Brown.	Kirkland.
Daniel.	Land.
Davis.	Lewis.
DeBerry.	Long.
Denman.	Masterson.
Dielmann.	McGill.
Enderby.	Merritt.
Eickenroht.	Minor.
Farrar.	Morse.
Faulk.	Nabors.
Fly.	Olsen.
Forbes.	Parish of Runnels.
Gibson.	Petsch.
Gilbert.	Poage.
Graves.	Pool.
Hagaman.	Pope.
Hall.	Porter.
Harding.	Powell.
Harman.	Renfro
Hefley.	of Angelina.

Renfro of Mills.  
Rogers of Hays.  
Rogers of Shelby.  
Runge.  
Sanders.  
Satterwhite.  
Shearer.  
Sheats.  
Shirley.  
Simmons.  
Smith of El Paso.  
Smith of Nueces.  
Smith of Smith.  
Snelgrove.  
Stell.  
Stevenson.  
Stout.

Swain.  
Taylor.  
Teer.  
Tillotson.  
Turner.  
Van Zandt.  
Veatch.  
Walker.  
Wallace  
of Freestone.  
Wallace of Smith.  
Ware.  
Wells.  
Whitaker.  
Williamson.  
Woodall.  
Young.

Nays—9.

Conway.  
Cornwell.  
Foster.  
Gray.  
Jacks.

Kemble.  
Kincaid.  
McCombs.  
Williams  
of Travis.

Absent.

Acker.  
Barron.  
Beck.  
Bonham.  
Cummings.  
Duvall.  
Gates.  
Johnson  
of Anderson.  
Lipscomb.  
Loftin.  
McKean.  
Montgomery.  
Nicholson.

Parrish of Travis.  
Pavlica.  
Purl.  
Rawlins.  
Rowell.  
Shaver.  
Smyth.  
Storey.  
Waddell.  
Webb.  
Williams  
of Sabine.  
Woodruff.

Absent—Excused.

Brice.  
Cox.  
Dunlap.  
Finlay.  
Fuchs.  
Holder.  
Kayton.  
Kenyon.  
King of Hopkins.  
Kinnear.  
Kirby.

Loy.  
Moursund.  
Murphy.  
Pearce.  
Reagan.  
Sinks.  
Smith of Atascosa.  
Sutton.  
Wallace of Panola.  
Wassell.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 9, A bill to be entitled "An Act appropriating one and a half million (\$1,500,000) dollars per year, or so much thereof as may be necessary, for the next two fiscal years, for the purpose of promoting rural school education and equalizing the school opportunities afforded by the State to all

children of scholastic age living in small and financially weak districts, allowing the State Board of Education and the State Superintendent of Public Instruction to aid such schools in accordance with conditions herein specified; providing certain prerequisites for the granting of such aid; providing for the maintenance of all rural schools which meet the requirements a term not exceeding six months solely out of State and county school funds; providing aid for schools where extraordinary conditions prevent schools meeting all stated requirements; providing limited equipment for rural schools that will afford instruction and demonstration in home and farm vocations; providing assistance in the formation and maintenance of rural high school districts according to a countrywide plan; providing for the administration of this fund by the State Department of Education; providing for the manner of payment and disbursement of all money granted under the provisions of this act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Wallace of Freestone offered the following (committee) amendment to the bill:

Amend House bill No. 9 by striking out "Section 4," and insert in lieu thereof another Section 4, reading as follows:

"Section 4. The maximum salaries to be paid out of State and county funds shall be according to a schedule approved by the State Board of Education. No part of the aid herein provided for shall be used for increasing the salary of any teacher, but the funds provided for in this act shall be used for the exclusive purpose of extending the length of the school term of the schools situated in the district receiving such aid. Any district violating any of the provisions of this act shall forfeit all right to such aid and be disqualified to receive aid of any nature under any section herein provided. Should any school, which would otherwise be eligible to receive funds under this act, agree, promise or contract with teachers to pay a larger salary, during the term provided out of State funds, than is to be paid during the remainder of the term out of local funds, then such school shall forfeit its right to receive aid.

"Any county in this State that has a special equalization fund, derived from State and county available funds, shall receive from the appropriation herein provided a sum not to exceed

twelve thousand five hundred dollars (\$12,500) for each year of the biennium to supplement the equalization fund thereof, subject to the approval of the State Board of Education."

The amendment was adopted.

Mr. Brown offered the following amendment to the bill:

Amend House bill No. 9, page 2, line 32, by adding after word "purposes" the following: "And provided further that the above requirements of a maintenance tax levy shall not apply to districts maintaining a school for Indians."

The amendment was adopted.

Mr. Young offered the following amendment to the bill:

Amend House bill No. 9, page 3, line 40, by striking out "enumeration" and insert "enrollment."

The amendment was adopted.

Mr. Young offered the following amendment to the bill:

Amend House bill No. 9, page 3, lines 37 and 38, by striking out the figures "30" and insert "35"; also by striking out, in line 38, the figures "15" and insert "20."

The amendment was adopted.

House bill No. 9 was then passed to engrossment.

#### HOUSE BILL NO. 9 ON THIRD READING.

Mr. Wallace of Freestone moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 9 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109.

Mr. Speaker.	DeBerry.
Acker.	Denman.
Alexander.	Duvall.
Anderson.	Enderby.
Avis.	Farrar.
Barnett.	Faulk.
Barron.	Fly.
Bass.	Forbes.
Bateman.	Foster.
Beck.	Gibson.
Bird.	Gilbert.
Black.	Graves.
Boggs.	Gray.
Bonham.	Hagaman.
Boon.	Hall.
Branch.	Harding.
Brown.	Harman.
Conway.	Hefley.
Cornwell.	High.
Daniel.	Hogg.
Davis.	Holland.

Hornaday.	Renfro of Mills.
Jacks.	Rogers of Hays.
Johnson	Rogers of Shelby.
of Anderson.	Sanders.
Johnson	Satterwhite.
of Dimmit.	Shearer.
Keeton.	Sheats.
Kemble.	Shirley.
Kennedy.	Simmons.
Kincaid.	Smith of El Paso.
King of	Smith of Nueces.
Throckmorton.	Smith of Smith.
Kirkland.	Snelgrove.
Land.	Stell.
Lewis.	Stevenson.
Loftin.	Stout.
Long.	Swain.
Masterson.	Taylor.
McCombs.	Tillotson.
McGill.	Turner.
Merritt.	Van Zandt.
Minor.	Veatch.
Nabors.	Walker.
Nicholson.	Wallace
Parish of Runnels.	of Freestone.
Petsch.	Wallace of Smith
Poage.	Ware.
Pool.	Wells.
Pope.	Whitaker.
Porter.	Williamson.
Powell.	Woodall.
Purl.	Woodruff.
Rawlins.	Young.
Renfro	
of Angelina.	

Nays—3.

Albritton.	Olsen.
Eickenroht.	

Absent.

Cummings.	Runge.
Dielmann.	Shaver.
Gates.	Smyth.
Jones.	Storey.
Justice.	Teer.
Lipscomb.	Waddell.
McKean.	Webb.
Montgomery.	Williams
Morse.	of Sabine.
Parrish of Travis.	Williams
Pavlica.	of Travis.
Rowell.	

Absent—Excused.

Brice.	Loy.
Cox.	Moursund.
Dunlap.	Murphy.
Finlay.	Pearce.
Fuchs.	Reagan.
Holder.	Sinks.
Kayton.	Smith of Atascosa.
Kenyon.	Sutton.
King of Hopkins.	Wallace of Panola.
Kinnear.	Wassell.
Kirby.	

The Speaker then laid House bill No. 9 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106.

Mr. Speaker.	Kirkland.
Acker.	Land.
Albritton.	Lewis.
Alexander.	Loftin.
Anderson.	Long.
Avis.	Masterson.
Barnett.	McCombs.
Barron.	McGill.
Bass.	Merritt.
Bateman.	Minor.
Beck.	Nabors.
Bird.	Nicholson.
Black.	Olsen.
Boggs.	Parish of Runnels.
Bonham.	Petsch.
Boon.	Poage.
Branch.	Pool.
Brown.	Pope.
Conway.	Porter.
Cornwell.	Powell.
Daniel.	Rawlins.
Davis.	Renfro
DeBerry.	of Angelina.
Denman.	Renfro of Mills.
Duvall.	Rogers of Hays.
Enderby.	Rogers of Shelby.
Eickenroht.	Sanders.
Farrar.	Satterwhite.
Faulk.	Shearer.
Fly.	Sheats.
Forbes.	Shirley.
Foster.	Simmons.
Gibson.	Smith of El Paso.
Gilbert.	Smith of Smith.
Graves.	Smyth.
Gray.	Snelgrove.
Hagaman.	Stell.
Hall.	Stevenson.
Harding.	Stout.
Harman.	Swain.
Hefley.	Taylor.
High.	Tillotson.
Hogg.	Turner.
Holland.	Van Zandt.
Hornaday.	Veatch.
Jacks.	Walker.
Johnson	Wallace
of Anderson.	of Freestone.
Johnson	Wallace of Smith.
of Dimmit.	Ware.
Keeton.	Wells.
Kemble.	Whitaker.
Kennedy.	Williamson.
Kincaid.	Woodall.
King of	Woodruff.
Throckmorton.	Young.

Absent.

Cummings.	Dielmann.
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Gates.	Runge.
Jones.	Shaver.
Justice.	Smith of Nueces.
Lipscomb.	Storey.
McKean.	Teer.
Montgomery.	Waddell.
Morse.	Webb.
Parrish of Travis.	Williams
Pavlica.	of Sabine.
Purl.	Williams
Rowell.	of Travis.

Absent—Excused.

Brice.	Loy.
Cox.	Moursund.
Dunlap.	Murphy.
Finlay.	Pearce.
Fuchs.	Reagan.
Holder.	Sinks.
Kayton.	Smith of Atascosa.
Kenyon.	Sutton.
King of Hopkins.	Wallace of Panola.
Kinnear.	Wassell.
Kirby.	

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Williamson, the following bills were ordered not printed: Senate bills Nos. 12, 19 and 31, and House bill No. 45.

#### MOTION TO TAKE UP HOUSE BILL NO. 6.

Mr. Kemble moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 6, A bill to be entitled "An Act to amend Articles 603 and 604 of Title 20, Chapter 1, Revised Statutes, 1925, and adding to said Title 20 another chapter providing for efficiency tests and examinations and classification of appointive ministerial and clerical officers and employes of the State of Texas; regulating such tests and examinations and providing for fixing the compensation of such employes, and repealing all laws in conflict."

On motion of Mr. Jacks, the motion by Mr. Kemble was tabled.

#### SENATE BILL NO. 5 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 5, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them as follows, to-wit: The Agri-

cultural and Mechanical College of Texas, State Experimental Stations, the North Texas Junior Agricultural College, John Tarleton Agricultural College, Prairie View State Normal and Industrial College, the University of Texas, including the Medical Branch at Galveston and the College of Mines and Metallurgy at El Paso, College of Industrial Arts, Texas Technological College, East Texas State Teachers College at Commerce, North Texas State Teachers College at Denton, Sam Houston State Teachers College at Huntsville, Stephen F. Austin State Teachers College, South Texas State Teachers College, Southwest Texas State Teachers College, Sul Ross College, West Texas Teachers College, Texas School for the Blind and School for the Deaf, for years beginning September 1, 1927, and ending August 31, 1929, and declaring an emergency."

The bill was read second time.

Mr. Teer offered as an amendment to the bill a copy of House bill No. 12, which, on motion of Mr. Rogers of Shelby, was ordered not printed in the Journal.

On motion of Mr. Sheats, the House agreed to dispense with a full reading of the amendment and agreed to consider the amendment institution by institution.

Mr. Woodall offered the following amendment to the section of the amendment relating to the University of Texas:

Amend House bill No. 12, page 63, line 38, by striking out the figures "\$7500" in the first column and inserting in lieu thereof the figures "\$5000"; also the figures "\$7500" in the second column and inserting in lieu thereof the figures "\$5000" and correct the totals accordingly.

Mr. Storey moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—58.

Mr. Speaker.	Dielmann.
Alexander.	Duvall.
Anderson.	Fly.
Barron.	Forbes.
Bass.	Foster.
Beck.	Gilbert.
Bonham.	Hagaman.
Conway.	Harding.
Cornwell.	Harman.
Daniel.	Hefley.
Denman.	Hogg.

Hornaday.	Rogers of Hays.
Jacks.	Runge.
Johnson	Satterwhite.
of Anderson.	Shaver.
Johnson	Shearer.
of Dimmit.	Smith of El Paso.
Keeton.	Smith of Smith.
Kemble.	Stevenson.
Land.	Storey.
Lewis.	Teer.
Lipscomb.	Tillotson.
McCombs.	Waddell.
McGill.	Wallace
Minor.	of Freestone.
Montgomery.	Wells.
Nicholson.	Williams
Petsch.	of Travis.
Porter.	Williamson.
Powell.	Woodruff.
Purl.	Young.
Rawlins.	

## Nays—54.

Acker.	Masterson.
Albritton.	Merritt.
Avis.	Nabors.
Barnett.	Poage.
Bateman.	Pope.
Bird.	Renfro
Black.	of Angelina.
Boggs.	Renfro of Mills.
Boon.	Rogers of Shelby.
Branch.	Sanders.
Cummings.	Sheats.
Davis.	Shirley.
Enderby.	Simmons.
Eickenroht.	Smith of Nueces.
Farrar.	Smyth.
Faulk.	Snelgrove.
Gibson.	Stell.
Graves.	Stout.
Gray.	Swain.
High.	Taylor.
Justice.	Turner.
Kennedy.	Van Zandt.
Kincaid.	Veatch.
King of	Walker.
Throckmorton.	Wallace of Smith.
Kirkland.	Ware.
Loftin.	Whitaker.
Long.	Woodall.

## Absent.

Brown.	Parish of Runnels.
DeBerry.	Parrish of Travis.
Gates.	Pavlica.
Hall.	Pool.
Holland.	Rowell.
Jones.	Webb.
McKean.	Williams
Morse.	of Sabine.
Olsen.	

## Absent—Excused.

Brice.	Dunlap.
Cox.	Finlay.

Fuchs.	Murphy.
Holder.	Pearce.
Kayton.	Reagan.
Kenyon.	Sinks.
King of Hopkins.	Smith of Atascosa.
Kinnear.	Sutton.
Kirby.	Wallace of Panola.
Loy.	Wassell.
Moursund.	

Mr. Veatch offered the following amendment to this section of the amendment:

Amend House bill No. 12, page 70, line 30, by striking out "\$10,000" and insert in lieu thereof "\$8000."

Mr. Morse moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—65.

Mr. Speaker.	Masterson.
Anderson.	McCombs.
Barron.	McGill.
Beck.	Minor.
Bonham.	Montgomery.
Brown.	Morse.
Conway.	Nicholson.
Cox.	Petsch.
Daniel.	Pool.
DeBerry.	Pope.
Denman.	Porter.
Dielmann.	Powell.
Duvall.	Purl.
Fly.	Rawlins.
Foster.	Rogers of Hays.
Gates.	Rowell.
Gibson.	Satterwhite.
Gilbert.	Shaver.
Hagaman.	Shearer.
Harding.	Sheats.
Harman.	Smith of El Paso.
Hefley.	Smith of Smith.
Hogg.	Stevenson.
Holland.	Storey.
Hornaday.	Stout.
Johnson	Tillotson.
of Anderson.	Wallace
Johnson	of Freestone.
of Dimmit.	Wells.
Keeton.	Williams
Kemble.	of Travis.
Kincaid.	Williamson.
Lewis.	Woodruff.
Lipscomb.	Young.
Long.	

## Nays—52.

Acker.	Bird.
Albritton.	Black.
Alexander.	Boggs.
Avis.	Boon.
Barnett.	Cornwell.
Bateman.	Enderby.

Eickenroht.	Rogers of Shelby.	Barron.	Morse.
Farrar.	Sanders.	Beck.	Nicholson.
Faulk.	Shirley.	Bonham.	Petsch.
Forbes.	Simmons.	Brown.	Pool.
Graves.	Smith of Nueces.	Conway.	Pope.
Gray.	Smyth.	Cox.	Porter.
Hall.	Snelgrove.	Denman.	Powell.
High.	Stell.	Dielmann.	Purl.
Justice.	Swain.	Duvall.	Rawlins.
Kennedy.	Taylor.	Fly.	Rogers of Hays.
King of	Turner.	Forbes.	Rowell.
Throckmorton.	Van Zandt.	Foster.	Runge.
Kirkland.	Veatch.	Gates.	Sanders.
Land.	Waddell.	Gilbert.	Satterwhite.
Loftin.	Walker.	Hagaman.	Shaver.
Merritt.	Wallace of Smith.	Hall.	Shearer.
Nabors.	Ware.	Harding.	Sheats.
Olsen.	Webb.	Harman.	Smith of El Paso.
Parish of Runnels.	Whitaker.	Hefley.	Smith of Nueces.
Poage.	Woodall.	Hogg.	Smith of Smith.
Renfro		Holland.	Stevenson.
of Angelina.		Hornaday.	Storey.

Absent.

Bass.	Parrish of Travis.
Branch.	Pavlica.
Cummings.	Renfro of Mills.
Davis.	Runge.
Jacks.	Teer.
Jones.	Williams
McKean.	of Sabine.

Absent—Excused.

Brice.	Loy.
Dunlap.	Moursund.
Finlay.	Murphy.
Fuchs.	Pearce.
Holder.	Reagan.
Kayton.	Sinks.
Kenyon.	Smith of Atascosa.
King of Hopkins.	Sutton.
Kinnear.	Wallace of Panola.
Kirby.	Wassell.

Mr. Wallace of Smith offered the following amendment to this section of the amendment:

Amend House bill No. 12, page 63, line 38, by striking out the figures "\$7500" in the first column and inserting in lieu thereof the figures "\$6000"; also the figures "\$7500" in the second column and inserting in lieu thereof the figures "\$6000" and correct the totals accordingly.

Mr. Jacks moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—66.

Mr. Speaker. Anderson.

Barron.	Morse.
Beck.	Nicholson.
Bonham.	Petsch.
Brown.	Pool.
Conway.	Pope.
Cox.	Porter.
Denman.	Powell.
Dielmann.	Purl.
Duvall.	Rawlins.
Fly.	Rogers of Hays.
Forbes.	Rowell.
Foster.	Runge.
Gates.	Sanders.
Gilbert.	Satterwhite.
Hagaman.	Shaver.
Hall.	Shearer.
Harding.	Sheats.
Harman.	Smith of El Paso.
Hefley.	Smith of Nueces.
Hogg.	Smith of Smith.
Holland.	Stevenson.
Hornaday.	Storey.
Jacks.	Stout.
Johnson	Teer.
of Dimmit.	Turner.
Keeton.	Waddell.
Kemble.	Wallace
Kincaid.	of Freestone.
Land.	Wells.
Lewis.	Williams
Lipscomb.	of Travis.
McCombs.	Williamson.
McGill.	Woodruff.
Minor.	Young.
Montgomery.	

Nays—52.

Acker.	Loftin.
Albritton.	Long.
Avis.	Masterson.
Barnett.	Merritt.
Bass.	Nabors.
Bateman.	Olsen.
Bird.	Parish of Runnels.
Black.	Poage.
Boggs.	Renfro
Boon.	of Angelina.
Branch.	Renfro of Mills.
Cornwell.	Rogers of Shelby.
Daniel.	Shirley.
Davis.	Simmons.
DeBerry.	Smyth.
Enderby.	Snelgrove.
Eickenroht.	Stell.
Farrar.	Swain.
Faulk.	Taylor.
Gibson.	Van Zandt.
Graves.	Veatch.
Gray.	Walker.
High.	Wallace of Smith.
Justice.	Ware.
Kennedy.	Webb.
King of	Whitaker.
Throckmorton.	Woodall.
Kirkland.	

## Absent.

Alexander.	Parrish of Travis.
Cummings.	Pavlica.
Johnson	Tillotson.
of Anderson.	Williams
Jones.	of Sabine.
McKean.	

## Absent—Excused.

Brice.	Loy.
Dunlap.	Moursund.
Finlay.	Murphy.
Fuchs.	Pearce.
Holder.	Reagan.
Kayton.	Sinks.
Kenyon.	Smith of Atascosa.
King of Hopkins.	Sutton.
Kinnear.	Wallace of Panola.
Kirby.	Wassell.

Mr. Woodall offered the following amendment to this section of the amendment:

Amend House bill No. 12, page 70, line 23, by striking out the figures "\$1500" in each line and substituting therefor the figures "\$2000" in each year.

Mr. Jacks moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—82.

Mr. Speaker.	Hagaman.
Acker.	Hall.
Albritton.	Hefley.
Anderson.	High.
Avis.	Hogg.
Barnett.	Holland.
Barron.	Hornaday.
Bass.	Jacks.
Beck.	Johnson
Bird.	of Dimmit.
Black.	Keeton.
Bonham.	Kemble.
Boon.	Kennedy.
Branch.	Kenyon.
Brown.	Kincaid.
Conway.	King of
Cornwell.	Throckmorton.
Cox.	Kirkland.
Cummings.	Land.
Daniel.	Lewis.
Davis.	Long.
DeBerry.	McCombs.
Denman.	McGill.
Duvall.	Merritt.
Enderby.	Minor.
Farrar.	Montgomery.
Fly.	Morse.
Forbes.	Nabors.
Foster.	Nicholson.
Gilbert.	Olsen.
Gray.	Petsch.

Pool.	Teer.
Powell.	Turner.
Purl.	Waddell.
Rawlins.	Walker.
Rogers of Hays.	Wallace
Runge.	of Freestone.
Satterwhite.	Webb.
Shaver.	Wells.
Shearer.	Whitaker.
Shirley.	Williams
Stell.	of Travis.
Stevenson.	Woodruff.
Storey.	Young.
Stout.	

## Nays—27.

Boggs.	Rowell.
Dielmann.	Sheats.
Eickenroht.	Simmons.
Faulk.	Smith of El Paso.
Gibson.	Smith of Nueces.
Graves.	Smyth.
Harding.	Swain.
Lipscomb.	Taylor.
Masterson.	Tillotson.
Poage.	Van Zandt.
Pope.	Wallace of Smith.
Porter.	Ware.
Renfro of Mills.	Woodall.
Rogers of Shelby.	

## Absent.

Alexander.	Parrish of Travis.
Bateman.	Pavlica.
Gates.	Renfro
Harman.	of Angelina.
Johnson	Sanders.
of Anderson.	Smith of Smith.
Jones.	Snelgrove.
Justice.	Veatch.
Loftin.	Williams
McKean.	of Sabine.
Parish of Runnels.	Williamson.

## Absent—Excused.

Brice.	Moursund.
Dunlap.	Murphy.
Finlay.	Pearce.
Fuchs.	Reagan.
Holder.	Sinks.
Kayton.	Smith of Atascosa.
King of Hopkins.	Sutton.
Kinnear.	Wallace of Panola.
Kirby.	Wassell.
Loy.	

Mr. Woodall offered the following amendment to this section of the amendment:

Amend House bill No. 12, page 71, line 15, by striking out the figures "\$1400" in each column.

Mr. Anderson moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—63.

Mr. Speaker.	Lipscomb.
Alexander.	Masterson.
Anderson.	McCombs.
Barron.	McGill.
Beck.	Minor.
Bonham.	Montgomery.
Brown.	Morse.
Conway.	Nicholson.
Cornwell.	Olsen.
Cox.	Petsch.
Cummings.	Pool.
Denman.	Powell.
Dielmann.	Purl.
Duvall.	Rawlins.
Forbes.	Rowell.
Foster.	Runge.
Gates.	Satterwhite.
Gilbert.	Shaver.
Hagaman.	Shearer.
Harding.	Smith of El Paso.
Harman.	Stevenson.
Hefley.	Storey.
Hogg.	Stout.
Holland.	Teer.
Hornaday.	Turner.
Jacks.	Waddell.
Johnson	Wallace
of Anderson.	of Freestone.
Johnson	Wells.
of Dimmit.	Williams
Keeton.	of Travis.
Kemble.	Williamson.
Land.	Woodruff.
Lewis.	Young.

## Nays—58.

Acker.	Kennedy.
Albritton.	Kincaid.
Avis.	King of
Barnett.	Throckmorton.
Bass.	Kirkland.
Bateman.	Loftin.
Bird.	Long.
Black.	Merritt.
Boggs.	Nabors.
Boon.	Parish of Runnels.
Branch.	Poage.
Daniel.	Pope.
Davis.	Renfro of Mills.
DeBerry.	Rogers of Hays.
Enderby.	Rogers of Shelby.
Eickenroht.	Sheats.
Farrar.	Shirley.
Faulk.	Simmons.
Fly.	Smith of Nueces.
Gibson.	Smith of Smith.
Graves.	Smyth.
Gray.	Snelgrove.
Hall.	Stell.
High.	Swain.
Justice.	Taylor.

Tillotson.	Ware.
Van Zandt.	Webb.
Veatch.	Whitaker.
Walker.	Woodall.
Wallace of Smith.	

## Absent.

Jones.	Renfro
McKean.	of Angelina.
Parrish of Travis.	Sanders.
Pavlica.	Williams
Porter.	of Sabine.

## Absent—Excused.

Brice.	Loy.
Dunlap.	Moursund.
Finlay.	Murphy.
Fuchs.	Pearce.
Holder.	Reagan.
Kayton.	Sinks.
Kenyon.	Smith of Atascosa.
King of Hopkins.	Sutton.
Kinnear.	Wallace of Panola.
Kirby.	Wassell.

Mr. Boon offered the following amendment to this section of the amendment:

Amend House bill No. 12, page 75, line 5, by striking out the figures "\$1000" in the first column, and inserting in lieu thereof the figures "\$500"; also the figures "\$1000" in the second column, and insert in lieu thereof the figures "\$500," and correct the totals accordingly.

Mr. Jacks moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—69.

Anderson.	Hogg.
Barron.	Holland.
Bateman.	Hornaday.
Beck.	Jacks.
Boggs.	Johnson
Conway.	of Anderson.
Cornwell.	Johnson
Cox.	of Dimmit.
Cummings.	Keeton.
Daniel.	Kemble.
Denman.	Kincaid.
Dielmann.	Lewis.
Duvall.	Lipscomb.
Fly.	Loftin.
Forbes.	Masterson.
Foster.	McCombs.
Gates.	McGill.
Gibson.	Minor.
Gilbert.	Montgomery.
Hagaman.	Morse.
Hall.	Petsch.
Harding.	Pool.
Harman.	Pope.
Hefley.	Porter.

Powell.	Stevenson.
Purl.	Stout.
Rawlins.	Teer.
Rogers of Hays.	Tillotson.
Rowell.	Turner.
Runge.	Wallace of Smith.
Shaver.	Ware.
Shearer.	Wells.
Sheats.	Williams
Smith of El Paso.	of Travis.
Smith of Nueces.	Williamson.
Smith of Smith.	Woodruff.

## Nays—44.

Acker.	King of
Albritton.	Throckmorton.
Avis.	Kirkland.
Barnett.	Land.
Bass.	Long.
Bird.	Nabors.
Black.	Parish of Runnels.
Bonham.	Poage.
Boon.	Rogers of Shelby.
Branch.	Satterwhite.
Davis.	Shirley.
DeBerry.	Simmons.
Enderby.	Smyth.
Eickenroht.	Snelgrove.
Farrar.	Stell.
Faulk.	Storey.
Graves.	Swain.
Gray.	Taylor.
High.	Van Zandt.
Jones.	Veatch.
Justice.	Walker.
Kennedy.	Webb.
	Whitaker.

## Absent.

Alexander.	Renfro of Mills.
Brown.	Sanders.
McKean.	Waddell.
Merritt.	Wallace
Nicholson.	of Freestone.
Olsen.	Williams
Parrish of Travis.	of Sabine.
Pavlica.	Woodall.
Renfro	Young.
of Angelina.	

## Absent—Excused.

Brice.	Loy.
Dunlap.	Moursund.
Finlay.	Murphy.
Fuchs.	Pearce.
Holder.	Reagan.
Kayton.	Sinks.
Kenyon.	Smith of Atascosa.
King of Hopkins.	Sutton.
Kinnear.	Wallace of Panola.
Kirby.	Wassell.

Mr. Woodruff offered the following amendment to this section of the amendment:

Amend House bill No. 12, page 70, by striking out the figures "\$2200" in each column, line 10, and figures "\$1800," in each column, line 12, and inserting the figures "\$2000" in each column, line 10, and "\$2000" in each column, line 12. The amendment was tabled.

Mr. Woodruff offered the following amendment to this section of the amendment:

Amend House bill No. 12, page 69, by striking out the figures "\$2400" in line 32, each column, and figures "\$2000" in each column, line 39, and insert in lieu thereof "\$2200" in each column, line 32, and "\$2200" in each column, line 39.

On motion of Mr. Morse, the amendment was tabled.

Mr. Poage offered the following amendment to this section of the amendment:

Amend House bill No. 12, pages 69 and 70, by striking out all of lines 33, 34, 37 and 39, on page 69, and all of lines 6, 7, 9, 14, 16, 19 and 20, on page 70.

On motion of Mr. Jacks, the amendment was tabled.

(Mr. Satterwhite in the chair.)

Mr. Beck offered the following amendment to this section of the amendment:

Amend House bill No. 12, page 75, line 40, by striking out the figures "\$4000" in the first column, and inserting in lieu thereof the figures "\$15,000"; also the figures "\$4000" in the second column, and inserting in lieu thereof the figures "\$15,000," and correct the totals accordingly.

On motion of Mr. Nabors, the amendment was tabled.

Mr. Boggs offered the following amendment to this section of the amendment:

Amend House bill No. 12, page 74, line 14, by striking out the figures "\$15,000" in the first column, and inserting in lieu thereof the figures "\$10,000"; also the figures "\$20,000" in the second column, and inserting in lieu thereof the figures "\$10,000," and correct the totals accordingly.

(Speaker in the chair.)

On motion of Mr. Kemble, the amendment was tabled.

Mr. Daniel moved a call of the House for the purpose of maintaining a quorum until 5:30 o'clock p. m. today, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Jacks, the Sergeant-at-Arms was instructed to bring in all absent members within the city of Austin.

Mr. Smyth offered the following amendment to the section of the amendment relating to Texas Technological College:

Amend House bill No. 12 by striking out all of lines 27, 28, 29, 30 and 31, page 93.

Mr. Hall moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—66.

Anderson.	Morse.
Barron.	Nabors.
Beck.	Nicholson.
Boggs.	Parish of Runnels.
Boon.	Petsch.
Brown.	Pool.
Conway.	Porter.
Cox.	Powell.
Denman.	Purl.
Dielmann.	Rawlins.
Duvall.	Renfro of Mills.
Forbes.	Rogers of Hays.
Foster.	Rowell.
Gates.	Runge.
Hagaman.	Satterwhite.
Hall.	Shaver.
Harding.	Shearer.
Hefley.	Smith of El Paso.
Hogg.	Smith of Nueces.
Holland.	Smith of Smith.
Hornaday.	Stevenson.
Jacks.	Storey.
Johnson	Stout.
of Anderson.	Teer.
Johnson	Tillotson.
of Dimmit.	Turner.
Jones.	Wallace
Keeton.	of Freestone.
Land.	Wallace of Smith.
Lewis.	Webb.
Lipscomb.	Wells.
Long.	Whitaker.
Masterson.	Williams
McCombs.	of Travis.
McGill.	Williamson.
Minor.	Young.
Montgomery.	

Nays—37.

Albritton.	DeBerry.
Avis.	Enderby.
Barnett.	Farrar.
Bateman.	Faulk.
Bird.	Gibson.
Black.	Graves.
Cornwell.	Gray.
Daniel.	Harman.
Davis.	High.

Kennedy.	Smyth.
Kincaid.	Snelgrove.
King of	Stell.
Throckmorton.	Swain.
Kirkland.	Taylor.
Olsen.	Van Zandt.
Pope.	Veatch.
Rogers of Shelby.	Walker.
Sanders.	Ware.
Shirley.	Woodruff.

Absent.

Acker.	Merritt.
Alexander.	Parrish of Travis.
Bass.	Pavlica.
Bonham.	Pearce.
Branch.	Poage.
Cummings.	Renfro
Eickenroht.	of Angelina.
Fly.	Sheats.
Gilbert.	Simmons.
Justice.	Waddell.
Kemble.	Williams
Loftin.	of Sabine.
McKean.	Woodall.

Absent—Excused.

Brice.	Loy.
Dunlap.	Moursund.
Finlay.	Murphy.
Fuchs.	Reagan.
Holder.	Sinks.
Kayton.	Smith of Atascosa.
Kenyon.	Sutton.
King of Hopkins.	Wallace of Panola.
Kinnear.	Wassell.
Kirby.	

Mr. Farrar offered the following amendment to this section of the amendment:

Amend House bill No. 12, page 98, by striking out all of lines 33 and 34.

Mr. Hall moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—72.

Anderson.	Gates.
Barron.	Gibson.
Beck.	Hagaman.
Boggs.	Hall.
Boon.	Harding.
Brown.	Harman.
Conway.	Hefley.
Cox.	Hogg.
Daniel.	Holland.
Denman.	Hornaday.
Dielmann.	Jacks.
Duvall.	Johnson
Fly.	of Anderson.
Forbes.	Keeton.
Foster.	Kincaid.

Land.	Satterwhite.
Lewis.	Shaver.
Lipscomb.	Shearer.
Long.	Simmons.
Masterson.	Smith of El Paso.
McCombs.	Smith of Nueces.
McGill.	Smith of Smith.
Merritt.	Stevenson.
Minor.	Storey.
Montgomery.	Teer.
Morse.	Tillotson.
Nicholson.	Turner.
Parish of Runnels.	Wallace
Petsch.	of Freestone.
Pope.	Wallace of Smith.
Porter.	Webb.
Powell.	Wells.
Purl.	Whitaker.
Rawlins.	Williams
Renfro of Mills.	of Travis.
Rowell.	Williamson.
Runge.	Woodruff.
Sanders.	Young.

Nays—33.

Albritton.	King of
Avis.	Throckmorton.
Bateman.	Kirkland.
Black.	Nabors.
Branch.	Olsen.
Cornwell.	Poage.
Davis.	Rogers of Hays.
DeBerry.	Rogers of Shelby.
Enderby.	Shirley.
Farrar.	Snelgrove.
Faulk.	Stell.
Gray.	Stout.
High.	Swain.
Johnson	Taylor.
of Dimmit.	Van Zandt.
Jones.	Veatch.
Kennedy.	Walker.
	Ware.

Absent.

Acker.	McKean.
Alexander.	Parrish of Travis.
Barnett.	Pavlica.
Bass.	Pool.
Bird.	Renfro
Bonham.	of Angelina.
Cummings.	Sheats.
Eickenroht.	Smyth.
Gilbert.	Waddell.
Graves.	Williams
Justice.	of Sabine.
Kemble.	Woodall.
Loftin.	

Absent—Excused.

Brice.	Kayton.
Dunlap.	Kenyon.
Finlay.	King of Hopkins.
Fuchs.	Kinnear.
Holder.	Kirby.

Loy.	Sinks.
Moursund.	Smith of Atascosa.
Murphy.	Sutton.
Pearce.	Wallace of Panola.
Reagan.	Wassell.

Mr. Teer offered the following (committee) amendment to the section of the amendment relating to the East Texas State Teachers College:

Amend House bill No. 12, page 103, line 36, by inserting in the last year the figures "\$900," and change the totals accordingly.

The amendment was adopted.

Mr. Veatch offered the following amendment to the amendment:

Amend House bill No. 12, pages 102, 107, 113, 117, 120, 125, 129 and 134, inclusive, by striking out "\$5000" and insert in lieu thereof "\$4500." Said amendment shall apply to salaries of all teacher college presidents.

Mr. Anderson moved to table the amendment.

Mr. McCombs moved that the call of the House be extended until 6 o'clock p. m. today.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—45.

Anderson.	Montgomery.
Barron.	Morse.
Bonham.	Pool.
Brown.	Porter.
Cox.	Powell.
Davis.	Purl.
DeBerry.	Rawlins.
Dielmann.	Renfro
Fly.	of Angelina.
Foster.	Rogers of Shelby.
Gray.	Runge.
Hagaman.	Satterwhite.
High.	Shaver.
Hogg.	Shearer.
Holland.	Smith of El Paso.
Jacks.	Stell.
Johnson	Stout.
of Dimmit.	Teer.
Jones.	Van Zandt.
Kemble.	Wallace
Kincaid.	of Freestone.
Lewis.	Wells.
Lipscomb.	Williams
McCombs.	of Travis.
Minor.	Young.

Nays—63.

Albritton.	Beck.
Alexander.	Bird.
Avis.	Black.
Barnett.	Boggs.
Bateman.	Boon.

Branch.	McGill.
Conway.	Merritt.
Cornwell.	Nabors.
Daniel.	Nicholson.
Denman.	Olsen.
Enderby.	Parish of Runnels.
Eickenroht.	Poage.
Farrar.	Pope.
Faulk.	Renfro of Mills.
Forbes.	Rogers of Hays.
Gates.	Rowell.
Gibson.	Sanders.
Gilbert.	Shirley.
Hall.	Simmons.
Harding.	Smith of Nueces.
Harman.	Snelgrove.
Hefley.	Stevenson.
Hornaday.	Storey.
Johnson	Swain.
of Anderson.	Taylor.
Justice.	Turner.
Keeton.	Veatch.
Kennedy.	Walker.
King of	Wallace of Smith.
Throckmorton.	Ware.
Kirkland.	Williamson.
Land.	Woodall.
Long.	Woodruff.

Absent.

Acker.	Petsch.
Bass.	Sheats.
Cummings.	Smith of Smith.
Duvall.	Smyth.
Graves.	Tillotson.
Loftin.	Waddell.
Masterson.	Webb.
McKean.	Whitaker.
Parrish of Travis.	Williams
Pavlica.	of Sabine.

Absent—Excused.

Brice.	Loy.
Dunlap.	Moursund.
Finlay.	Murphy.
Fuchs.	Pearce.
Holder.	Reagan.
Kayton.	Sinks.
Kenyon.	Smith of Atascosa.
King of Hopkins.	Sutton.
Kinnear.	Wallace of Panola.
Kirby.	Wassell.

Question recurring on the motion of Mr. Anderson to table the amendment by Mr. Veatch, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—66.

Mr. Speaker.	Boon.
Anderson.	Brown.
Barnett.	Conway.
Barron.	Cox.
Beck.	Denman.

Dielmann.	Porter.
Duvall.	Powell.
Fly.	Purl.
Foster.	Rawlins.
Gilbert.	Renfro of Mills.
Gray.	Rogers of Hays.
Hagaman.	Rogers of Shelby.
Harding.	Rowell.
Harman.	Runge.
Hefley.	Satterwhite.
Hogg.	Shaver.
Holland.	Shearer.
Hornaday.	Smith of El Paso.
Jacks.	Smith of Nueces.
Johnson	Smith of Smith.
of Dimmit.	Stevenson.
Keeton.	Swain.
Kemble.	Taylor.
Land.	Teer.
Lewis.	Tillotson.
Lipscomb.	Turner.
Long.	Wallace
McCombs.	of Freestone.
McGill.	Ware.
Minor.	Wells.
Montgomery.	Williams
Morse.	of Travis.
Nicholson.	Williamson.
Pool.	Woodruff.
Pope.	Young.

Nays—41.

Albritton.	King of
Avis.	Throckmorton.
Bateman.	Kirkland.
Bird.	Merritt.
Black.	Nabors.
Boggs.	Olsen.
Branch.	Parish of Runnels.
Cornwell.	Poage.
Daniel.	Renfro
Davis.	of Angelina.
DeBerry.	Shirley.
Enderby.	Simmons.
Faulk.	Snelgrove.
Forbes.	Stell.
Gates.	Storey.
Graves.	Stout.
Hall.	Van Zandt.
High.	Veatch.
Jones.	Walker.
Justice.	Wallace of Smith.
Kennedy.	Woodall.
Kincaid.	

Present—Not Voting.

Sanders.

Absent.

Acker.	Gibson.
Alexander.	Johnson
Bass.	of Anderson.
Bonham.	Loftin.
Cummings.	Masterson.
Eickenroht.	McKean.
Farrar.	Parrish of Travis.

Pavlica.	Waddell.
Petsch.	Webb.
Sheats.	Whitaker.
Smyth.	Williams of Sabine.

Absent—Excused.

Brice.	Loy.
Dunlap.	Moursund.
Finlay.	Murphy.
Fuchs.	Pearce.
Holder.	Reagan.
Kayton.	Sinks.
Kenyon.	Smith of Atascosa.
King of Hopkins.	Sutton.
Kinnear.	Wallace of Panola.
Kirby.	Wassell.

Question—Shall the (committee) amendment be adopted?

# SENATE BILL NO. 31 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 31, A bill to be entitled "An Act relative to an election in Dimmit county."

The bill was read second time and was passed to third reading.

# SENATE BILL NO. 31 ON THIRD READING.

Mr. Johnson of Dimmit moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 31 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Duvall.
Anderson.	Farrar.
Barnett.	Faulk.
Barron.	Fly.
Bateman.	Forbes.
Beck.	Foster.
Bird.	Gates.
Black.	Gray.
Boggs.	Hagaman.
Bonham.	Harding.
Boon.	Harman.
Branch.	Hefley.
Brown.	High.
Conway.	Hogg.
Cornwell.	Holland.
Cox.	Hornaday.
Daniel.	Jacks.
Davis.	Johnson
DeBerry.	of Anderson.
Denman.	Johnson
Dielmann.	of Dimmit.

Jones.	Rogers of Hays.
Justice.	Rogers of Shelby.
Keeton.	Runge.
Kemble.	Sanders.
Kennedy.	Satterwhite.
Kincaid.	Shaver.
King of Throckmorton.	Shearer.
Kirkland.	Shirley.
Land.	Simmons.
Lewis.	Smith of El Paso.
Lipscomb.	Smith of Nueces.
Long.	Smith of Smith.
McCombs.	Smyth.
McGill.	Stell.
Merritt.	Stevenson.
Minor.	Storey.
Montgomery.	Stout.
Morse.	Taylor.
Nabors.	Teer.
Nicholson.	Tillotson.
Parish of Runnels.	Turner.
Poage.	Walker.
Pool.	Wallace of Smith.
Pope.	Webb.
Porter.	Wells.
Powell.	Williams
Purl.	of Travis.
Rawlins.	Williamson.
Renfro	Woodall.
of Angelina.	Woodruff.
	Young.

Nays—2.

Albritton.

Olsen.

Absent.

Acker.	Petsch.
Alexander.	Renfro of Mills.
Avis.	Rowell.
Bass.	Sheats.
Cummings.	Snelgrove.
Enderby.	Swain.
Eickenroht.	Van Zandt.
Gibson.	Veatch.
Gilbert.	Waddell.
Graves.	Wallace
Hall.	of Freestone.
Loftin.	Ware.
Masterson.	Whitaker.
McKean.	Williams
Parrish of Travis.	of Sabine.
Pavlica.	

Absent—Excused.

Brice.	Loy.
Dunlap.	Moursund.
Finlay.	Murphy.
Fuchs.	Pearce.
Holder.	Reagan.
Kayton.	Sinks.
Kenyon.	Smith of Atascosa.
King of Hopkins.	Sutton.
Kinnear.	Wallace of Panola.
Kirby.	Wassell.

The Speaker then laid Senate bill No. 31 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Mr. Speaker.	Long.
Acker.	McCombs.
Albritton.	McGill.
Alexander.	Merritt.
Anderson.	Minor.
Avis.	Montgomery.
Barnett.	Morse.
Barron.	Nabors.
Bateman.	Nicholson.
Bird.	Olsen.
Black.	Parish of Runnels.
Boggs.	Petsch.
Boon.	Pool.
Branch.	Pope.
Brown.	Porter.
Conway.	Powell.
Cornwell.	Purl.
Cox.	Rawlins.
Daniel.	Renfro
Davis.	of Angelina.
DeBerry.	Renfro of Mills.
Denman.	Rogers of Hays.
Dielmann.	Rogers of Shelby.
Duvall.	Runge.
Enderby.	Sanders.
Farrar.	Satterwhite.
Faulk.	Shearer.
Fly.	Sheats.
Forbes.	Simmons.
Foster.	Smith of El Paso.
Gates.	Smith of Nueces.
Gilbert.	Smith of Smith.
Graves.	Smyth.
Gray.	Snelgrove.
Hagaman.	Stell.
Hall.	Stevenson.
Harding.	Storey.
Harman.	Stout.
Hefley.	Taylor.
High.	Teer.
Hogg.	Tillotson.
Holland.	Turner.
Hornaday.	Van Zandt.
Johnson	Veatch.
of Anderson.	Walker.
Johnson	Wallace
of Dimmit.	of Freestone.
Jones.	Wallace of Smith.
Keeton.	Webb.
Kennedy.	Wells.
Kincaid.	Williams
King of	of Travis.
Throckmorton.	Williamson.
Kirkland.	Woodruff.
Land.	Young.
Lewis.	

Absent.

Bass.	Bonham.
Beck.	Cummings.

Eickenroht.	Poage.
Gibson.	Rowell.
Jacks.	Shaver.
Justice.	Shirley.
Kemble.	Swain.
Lipscomb.	Waddell.
Loftin.	Ware.
Masterson.	Whitaker.
McKean.	Williams of Sabine.
Parrish of Travis.	Woodall.
Pavlica.	

Absent—Excused.

Brice.	Loy.
Dunlap.	Moursund.
Finlay.	Murphy.
Fuchs.	Pearce.
Holder.	Reagan.
Kayton.	Sinks.
Kenyon.	Smith of Atascosa.
King of Hopkins.	Sutton.
Kinnear.	Wallace of Panola.
Kirby.	Wassell.

#### SENATE BILL NO. 12 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 12, A bill to be entitled "An Act amending the local road law of Dallas county so as to better provide for construction, reconstruction and repair of dirt roads connected with the pikes or hard surfaced roads in said county, and so as to make more ample provision for the removing and preventing of impediments on the public highways of Dallas county, such as junk, or debris, tin cans, glass or other similar impediments, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, May 26, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate bill No. 16, and requests the House for appointment of a free conference committee to adjust the differences. The following are appointed as conferees on part of the Senate:

Senators Fairchild, Witt, Bowers, Holbrook, Greer.

Respectfully,

MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

(Pending reading of the messages Mr. Satterwhite occupied the chair temporarily.)

#### MESSAGES FROM THE GOVERNOR.

Mr. Carl L. Phinney, Assistant Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Executive Office, May 26, 1927.

To the Honorable Fortieth Legislature of Texas:

Gentlemen: The subject of the passage of the attached bills is submitted by request for your consideration.

Respectfully submitted,  
DAN MOODY,  
Governor of Texas.

A bill to be entitled "An act requiring every person, firm, co-partnership, association or corporation doing business in this State, which are subject to occupation, gross receipts, or other taxes upon sales or gross receipts, to keep complete, permanent and detailed records of all business transacted in Texas, said records to be kept at the principal place of business in Texas, providing that the Attorney General of Texas, or the State Comptroller, or the duly authorized representative of either, may make examination of all such books and records; defining the offense of failing to keep such records, and also failing or refusing to produce the same for examination, and fixing the penalty; providing for the producing of such records in court, and declaring an emergency."

A bill to be entitled, "An Act providing that negotiable instruments shall not be rendered non-negotiable by reason of the execution or contents of any other paper creating a lien or other right securing such negotiable instrument, or by reason of any reference in the negotiable instrument to such other paper, and declaring an emergency."

A bill to be entitled "An Act to amend Chapter 20, Title 22, Revised Civil Statutes, 1925, by adding thereto Article 725a, to permit the issuance of bonds by counties for the purpose of funding or refunding indebtedness heretofore incurred for the purchase and improvement of county parks, and declaring an emergency."

A bill to be entitled "An Act to relieve various schools of the State by validating certain school districts and to validate bonds issued and taxes levied by such districts for school purposes, and declaring an emergency."

A bill to be entitled "An Act to amend Article 417 of the Code of Criminal Procedure of the State of Texas for 1925, so as to provide that where there are one or more felony charges against one or more persons for the same act or transaction, or for two or more actions or transactions connected together, or for two or more acts or transactions of the same class of crimes or offenses which may be properly joined, the whole may be joined in one indictment in separate counts, charging separate offenses, and a conviction may be secured for each offense in the same trial under the same indictment; providing for judgment and sentence for each offense; providing for the manner of returning verdicts by the jury; providing that failure to reach a verdict on any count shall not be a bar to judgment on counts on which verdict is returned; providing for numbering the counts of indictments, and declaring an emergency."

A bill to be entitled "An Act fixing the open season for hunting, taking or killing black tail deer in that part of the State west of the Pecos River; limiting and restricting the killing of such deer during said open season in said territory; prescribing the penalty for violating any provision of this act, and declaring an emergency."

A bill to be entitled "An Act to prohibit the killing of squirrels in Liberty county during the months of February 1st and October 15th, inclusive; providing that during the other months of the year no one shall kill more than ten squirrels in any one day; prescribing a penalty for violation, and declaring an emergency."

Executive Office, May 25, 1927.

To the Honorable Fortieth Legislature of the State of Texas.

Gentlemen: In the re-codification of the Statutes of 1925, a material change was made in the wording of subdivision 7 of Article 1995, Revised Civil Statutes, 1925. Prior to the re-codification, subdivision 7 read as follows:

"In all cases of fraud and in cases of defalcation of public officers" suit

"may be instituted in the county in which the fraud was committed, or where the defalcation occurred or where the defendant has his domicile."

As carried into the Revised Statutes of 1925, the subdivision reads:

"In all cases of fraud and defalcation of public officers, suit may be brought in the county in which the fraud was committed or defalcation occurred or where the defendant has his domicile."

In the case of *San Marcos Academy v. Burgess*, 292 S. W., 626, Advanced Sheet, No. 2, dated May 4, 1927, the Court of Civil Appeals at San Antonio has called attention to this change and pointed out that while the rule of law was well settled under this subdivision as it existed prior to re-codification, that the changed wording in the re-codification will likely change the rule of law with reference to cases brought under this subdivision.

I deem this of sufficient importance to merit consideration, and I submit to you for your consideration an amendment of subdivision 7 of Article 1995, so as to make its language clear and in conformity to the long established rule with reference to venue in cases of the nature covered by the subdivision.

I further submit for your consideration the enactment of a subdivision to Article 1995, Revised Civil Statutes, creating an additional exception to the general venue rule.

The number of instances in which an injunction will be granted to restrain the threatened or actual violation of penal statutes is limited. There are not more than five or six criminal offenses which may be restrained by injunction proceedings. In some of these cases the law permits the suit for injunction to be filed in the county in which the transaction has occurred or is threatened or in Travis county. There are statutes which make it the duty of State departments to act in matters of this nature. Therefore, it would not change any policy of the State if venue in all such cases was given to the district courts of Travis county as well as the courts of the county in which the actual or threatened violation occurred, and it would facilitate the disposition of business of this character. Instances might be cited in which the effectiveness of the remedy is destroyed by reason of the few terms of court held in the county. Injunction proceeding restraining criminal law violation, where

authorized by law, is not a harsh remedy and its effectiveness could be increased by incorporating a further exception to the general venue rule.

The Supreme Court of the United States has held Article 3107, Revised Civil Statutes, 1925, is violative of a provision of the Constitution of the United States. I submit for your consideration the repeal of this article and the enactment of a statute which will vest power in the executive committee of the several political parties to determine the qualifications requisite to membership in such parties.

Article 3137, Revised Civil Statutes, 1925, provides that the State Executive Committee shall meet on the second Monday after the fourth Saturday in August for the purpose of canvassing returns of the preceding primary election. This statute allows only a period of about eight days within which the votes may be counted and returns made to the State Executive Committee. In the past it has been impossible to secure complete returns by that date, and general confusion and considerable inconvenience resulted from this cause.

Articles 3136 and 3139, Revised Civil Statutes, 1925, have to do with the State Convention held subsequent to the canvassing of the returns provided for in Article 3137. These statutes also contemplate the meeting of the State Executive Committee for canvassing the returns on the second Monday after the fourth Saturday in August. The subject of amending these statutes to grant additional time within which the vote may be counted and the returns made to the Executive Committee and of properly providing for the holding of the convention contemplated by the statute is submitted for your consideration.

There is no adequate provision in the statute at this time for filling a vacancy in the office of county superintendent. Article 2355, Revised Civil Statutes, 1925, makes provision for certain vacancies in county offices to be filled by action of the commissioners court, but it does not embrace vacancies in the office of county superintendent. The subject of making provision for filling vacancies in the office of county school superintendent is submitted for your consideration. It is my information that there now exists in this State vacancies in the office of county superintendent and that there is no proper authority to provide for filling such vacancies.

At the last general election a proposed amendment to the Constitution providing for the payment of taxes on school lands owned by counties was ratified by the people. No law has been passed enabling the proper authority to pay such taxes or specifying the funds from which the same are to be paid. The subject of an enabling act to authorize the proper authorities to pay such taxes and to fix funds from which same are to be paid is submitted for your consideration.

The subject of amending Chapter 290, page 435, General Laws of the Regular Session of the Fortieth Legislature, to correct the conflict therein is submitted for your consideration.

Chapter 4, Title 128, Revised Civil Statutes, 1925, provides for the creation of conservation districts to be known as Fresh Water Supply District, for the purpose of conserving, transporting and distributing fresh water for domestic and commercial uses. Under this chapter elections are held and bonds are issued. Article 7884 provides that a time and place shall be fixed at which a hearing will be held by the commissioners court on the petition for any such election. The notice of such hearing, as provided by Article 7884, shall inform the persons concerned of their right to appear and contest the genuineness of said petition and the signatures thereto and whether the petitioners are qualified voters.

Article 7887 provides for the finding of the court upon the hearing provided for in Article 7884. Article 7887 simply provides that if upon the hearing of the petition it is found that the same is signed by the number of voters required by law and the petition conforms to the law, the court shall so find and shall order an election. No provision is made to give the persons living within the contemplated district a hearing on the question of the probable benefits to be derived from the establishment of such a district, or whether or not any benefits would be derived by the property to be taxed for the payment of bonds to be issued by the proposed district. In the present condition, Article 7884 and Article 7887 seem to place our fresh water supply district bonds within the rule laid down by the Supreme Court of the United States in the Archer County case.

Three changes are necessary in these articles with reference to fresh water supply districts. First, Article 7884

ought to provide that the notice of the hearing should advise the persons living within the district that they would have an opportunity to contest the matter of benefits to be derived by the establishment of the district; second, Article 7887 should require that the court find upon the hearing that a benefit would accrue to the property owners by the establishment of the district; and third, a general validating act should be passed validating any bonds which may have been issued under the terms of Chapter 4, Title 128.

At present there is \$355,000 in the State Treasury to the credit of the "suspense fund." This money, I am advised comes from mineral operations on State land. It is recommended that this fund be transferred to the general revenue fund of the State.

Under present laws the royalties arising from mineral operations on submerged State lands is paid into the game fund. The revenue from this source amounts annually to many thousand dollars. The subject of passing a bill to bring this to the general revenue fund is submitted for your consideration.

Each of these suggestions has the support of the department now receiving this revenue.

At the Regular Session of the Legislature a bill was passed amending Article 1728, Revised Civil Statutes, 1925, relating to the appellate jurisdiction of the Supreme Court. The amendment of this statute without a clause to provide for the saving of pending cases before the Supreme Court may destroy rights in many pending cases. The subject of passing a saving clause to preserve the rights of the parties in cases taken to the Supreme Court under the statute amended and now pending is submitted for your consideration.

Chapter 20, Acts of the Regular Session of the Fortieth Legislature, makes provision for the redemption of land sold under judgment for taxes levied by or for any district organized under the laws of this State, and provides that the laws applying to redemption of land sold under judgment for the collection of taxes for State and county purposes should be applied. In the recodification of the statutes, the law providing for the redemption of land sold for the collection of State and county taxes was omitted from the codification of 1925. The subject of passing a law to provide for the redemption of land

sold for the collection of State and county taxes is submitted for your consideration.

I also submit the subject of making Chapter 20, Acts of the Regular Session of the Fortieth Legislature to conform to such statute as you may pass providing for the redemption of land sold for collection of State and county taxes.

The amendment of Article 5523, Revised Civil Statutes, 1925, to provide for the validation of defective acknowledgments of married women to deeds and other instruments affecting title to land is submitted for your consideration.

The amendment of Article 5519, Revised Civil Statutes, 1925, to provide for the quieting of land titles is submitted for your consideration.

The amendment of Article 7373, Revised Civil Statutes, 1925, to provide for what may be proven under a plea of not guilty in trespass to try title suits, so as to make the recodification of the statutes conform to the long-standing rule on this subject, is submitted for your consideration.

The submission of amendments affecting judicial procedure and practice may be considered as including bills affecting the jurisdiction of courts.

Respectfully submitted,  
DAN MOODY,  
Governor of Texas.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Pool:

H. B. No. 53, A bill to be entitled "An Act to relieve various schools of the State by validating certain school districts, and to validate bonds issued and taxes levied by such districts for school purposes, and declaring an emergency."

Referred to Committee on Education.

By Mr. Petsch:

H. B. No. 54, A bill to be entitled "An Act to amend Article 417 of the Code of Criminal Procedure of the State of Texas for 1925, so as to provide that where there are one or more felony charges against one or more persons for the same act or transaction, or for two or more actions or transactions connected together, or for two or more acts or transactions of the same class of

crimes or offenses which may be properly joined, the whole may be joined in one indictment in separate counts, charging separate offenses, and a conviction may be secured for each offense in the same trial under the same indictment; providing for judgment and sentence for each offense; providing for the manner of returning verdicts by the jury; providing that failure to reach a verdict on any count shall not be a bar to judgment on counts on which verdict is returned; providing for numbering the counts of indictment, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Tillotson:

H. B. No. 55, A bill to be entitled "An Act to amend Article 5518 of the Revised Statutes of Texas of 1925, so as to limit the time within which a person under twenty-one (21) years of age, or in the military or naval service of the United States in time of war, or of unsound mind, or imprisoned, may institute suit for the recovery of real estate, and to add another article to be known as Article 5518a, so as to provide that no person shall from and after the first day of August, 1928, maintain a suit for the recovery of lands, tenements and hereditaments against one who has or held title thereto under a recorded muniment or muniments of title peaceably, and under an adverse claim of right for a period of twenty-five consecutive years, and providing this act shall not affect suits pending on the date when it shall become effective as a law, and defining the terms 'peaceable,' 'adverse,' 'muniments of title' and 'owner,' and to provide further that the rights of the State of Texas shall not be barred, and that no person claiming under a forged deed or deeds executed under a forged power of attorney shall claim any benefits under this act, and establishing the burden of proof with reference thereto, and to provide for presumptions as to title in the person who may claim under such muniment of title recorded for twenty-five years, and to define who are trespassers, and creating presumptions relating thereto, and changing the burden of proof with reference thereto, and to provide that the unconstitutionality of one portion of this act shall not affect the remainder thereof and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Cummings:

H. B. No. 56, A bill to be entitled "An Act to repeal Article 702 of Chapter 6 of Title 8 of the Code of Criminal Procedure of the State of Texas, relating to acquittals of higher offenses as jeopardy."

Referred to Committee on Criminal Jurisprudence.

By Mr. Smith of Smith:

H. B. No. 57, A bill to be entitled "An Act amending Article 3107 of the Revised Civil Statutes of Texas, 1925, giving the executive committees of the political parties within this State the authority to determine the qualifications of the voters of such parties."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Kirkland:

H. B. No. 58, A bill to be entitled "An Act to amend Article 793 of the Code of Criminal Procedure of Texas for 1925, so as to provide that if a defendant convicted of a misdemeanor and his punishment assessed at a fine and is unable to pay said fine and costs, he may discharge same at the rate of one dollar per day, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Dielmann:

H. B. No. 59, A bill to be entitled "An Act to amend Section 1 of Chapter 20 of the General Laws of the Fortieth Legislature, by making its provisions more certain, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Jacks:

H. B. No. 60, A bill to be entitled "An Act changing the wording of Article 2007 of the Revised Civil Statutes of 1925, as passed by the Regular Session of the Thirty-ninth Legislature of the State of Texas, so that said Article 2007 shall read as follows: 'A plea of privilege to be sued in the county of one's residence shall be sufficient, if it be in writing and sworn to, and shall state that the party claiming such privilege was not, at the institution of such suit, nor at the time of the service of process thereon, nor at the time of filing such plea, a resident of the county in which such suit was instituted, and shall state the county of his residence at the time of such plea, and that "no exception" to exclusive

venue in the county of one's residence provided by law exists in said cause; and upon the filing of such plea the clerk or the court shall immediately issue notice to the plaintiff or his attorney of record, which notice shall state that such plea of privilege has been filed and such notice shall be served by any sheriff or constable of the county upon the plaintiff or the attorney of record of the plaintiff; and if such notice has been served, such plea of privilege shall be prima facie proof of the defendant's right to change of venue; provided, however, if the plaintiff desires to controvert the plea of privilege, he shall within five days after appearance day file a controverting plea under oath, setting out specifically the fact or facts relied upon to confer venue of such cause on the court where the cause is pending,' and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Teer, Mr. Poage, Mr. Hogg and others:

H. B. No. 61, A bill to be entitled "An Act granting authority for the sale of personal and real property belonging to the Texas Prison System; enacting necessary provisions in reference to the terms and conditions of such sales; granting authority for the purchase of lands and appurtenances thereunto belonging necessary for the State Prison System, and enacting necessary provisions relative and incident to the same, and declaring an emergency."

Referred to Committee on Penitentiaries.

By Mr. Denman:

H. B. No. 62, A bill to be entitled "An Act to ratify and confirm the title of J. H. Cole and all other persons holding a chain of title from W. H. Walters in and to a tract of land in Nacogdoches county, known as the W. H. Walters labor of land, and containing 177 acres of land, and to disavow and relinquish the right, claim and title of the State of Texas in and to said land."

Referred to Committee on State Affairs.

By Mr. Montgomery:

H. B. No. 63, A bill to be entitled "An Act declaring unlawful the sale or offer for sale, transportation, preparation, receiving or delivery for transportation or marketing of citrus fruit that is immature, unripe, overripe, frost damaged or otherwise unfit for consumption and the sale thereof declared to be a

fraud upon the public; defining terms; providing for the inspection of citrus fruits and issuance of certificates of inspection thereof; providing for the purchase and affixing of stamps in connection with the marketing or transportation of such citrus fruits; providing for the appointment of persons to inspect the same and fixing their compensation; defining certain offenses; prescribing the power and duties of the Commissioner of Agriculture with regard to the provisions of this act; providing for the enforcement thereof and prescribing penalties for violation of any of the provisions of this act, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Dielmann:

H. B. No. 64, A bill to be entitled "An Act providing for the redemption of land sold under decree of court for taxes levied by the State or by any county, and providing that the redemption of land so sold may be had within two years from the date of such sale, and providing the terms, conditions and penalties incident thereto, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Harman:

H. B. No. 65, A bill to be entitled "An Act requiring every person, firm, co-partnership, association or corporation doing business in this State, which are subject to occupation, gross receipts, or other taxes upon sales or gross receipts, to keep complete, permanent and detailed records of all business transacted in Texas, said records to be kept at the principal place of business in Texas; providing that the Attorney General of Texas or the State Comptroller, or the duly authorized representative of either, may make examination of all such books and records; defining the offense of failing to keep such records, and also failing or refusing to produce the same for examination, and fixing the penalty; providing for the producing of such records in court, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Pool:

H. B. No. 66, A bill to be entitled "An Act to relieve various schools of the State by validating certain school districts and to validate bonds issued and taxes levied by such districts for

school purposes, and declaring an emergency."

Referred to Committee on Education.

By Mr. Cornwell:

H. B. No. 67, A bill to be entitled "An Act to prohibit the killing of squirrels in Liberty county during the months of February 1 to October 15, inclusive; providing that during the other months of the year no one shall kill more than ten squirrels in any one day; prescribing a penalty for violation, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Williamson:

H. B. No. 68, A bill to be entitled "An Act amending certain statutes of this State relating to motor vehicles, and the registration of same, so as to provide better regulations relating thereto; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Williamson:

H. B. No. 69, A bill to be entitled "An Act providing for better enforcement of laws of this State relating to registration of motor vehicles and motorcycles and relative to the speed of same; providing more adequately for the enforcement of such laws and the protection of the public safety in reference to the use of the public roads and streets; providing for better supervision of the operation of such vehicle on public highways of this State; providing for the establishment of a State Patrol System under the Department, and providing for State patrolmen, such patrolmen to wear badges and uniforms; describing such badges and uniforms; prohibiting arrests being made by such patrolmen by lying in wait for the purpose of trapping drivers of vehicles suspected of violation of the laws of this State relative to such vehicles; prescribing the duties of such patrolmen; providing venue of all prosecutions pursuant to arrests made under this act; providing for dismissal of prosecutions where such officers make arrests in violation of this act; providing that said patrolmen shall supersede inspectors of the Highway Department who are employed to perform similar service or to check up on registration of motor vehicles; providing all things necessary and incidental to the main subjects and purpose of this act, whether mentioned

in detail in this caption or not, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Lipscomb:

H. B. No. 70, A bill to be entitled "An Act to amend Section 3, Chapter 25, of the Acts of the Thirty-ninth Legislature of the State of Texas, Regular Session, by providing for the control of waters by any mechanical means; and to amend Section 4, Chapter 25, of the Acts of the Thirty-ninth Legislature of the State of Texas, by providing that the land composing water control and improvement districts may consist of separate bodies of land, separated by land not embraced in said districts; and to amend Section 4, Chapter 25, of the Acts of the Thirty-ninth Legislature of the State of Texas, by adding subsection 4a, which provides a discretionary preference on the part of directors of districts in allotting waters to various users; and to amend Section 19, Chapter 25, of the Acts of the Thirty-ninth Legislature of the State of Texas, by providing for action by commissioners courts upon hearing the petition of water control and improvement districts."

Referred to Committee on Conservation and Reclamation.

By Mr. Bonham:

H. B. No. 71, A bill to be entitled "An Act amending subdivision 7 of Article 1995 of the Revised Civil Statutes of the State of Texas, 1925, more distinctly specifying venue in cases of fraud and defalcation and in cases where two or more defendants are involved, and providing that suit may be brought in any county where fraud is committed or where defalcation occurs; and adding a new subdivision 29a, providing that where suit may be lawfully maintained in any county against one defendant it may be also maintained in the same county against all parties who are necessary parties to the suit."

Referred to Judiciary Committee.

#### RECESS.

On motion of Mr. Jacks, the House, at 5:45 o'clock p. m., took recess to 9 o'clock a. m. tomorrow.

#### APPENDIX.

#### STANDING COMMITTEE REPORTS.

The following committees have today

filed favorable reports on bills as follows:

Judiciary: House bill No. 37.

Highways and Motor Traffic: House bills Nos. 30, 26, 4, 27, 21, 28, 29, 45, 39 and Senate bills Nos. 12, 31 and 19.

Appropriations: House bill No. 41.

Criminal Jurisprudence: Senate bill No. 14.

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, May 25, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 18, A bill to be entitled "An Act to repeal the Coleman County Special Road Law, being Chapter 52, page 461, Special Laws of the Regular Session of the Twenty-ninth Legislature, and the amendments to said law passed by Chapter 97, page 763, of the Special Laws of the Regular Session of the Thirtieth Legislature, and declaring an emergency."

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, May 25, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 15, A bill to be entitled "An Act creating and defining by metes and bounds Road District No. 2 of Hidalgo county, Texas, under the authority of Article 3, Section 52, of the Constitution of the State of Texas, for the purpose of constructing, maintaining and operating macadamized, graveled, or paved roads and turnpikes, or in aid thereof; provided, that such district shall be made a body corporate and taxing district under the Constitution and laws of the State of Texas; including certain territories heretofore embraced and contained within the old original Road District No. 1 of Hidalgo county, Texas; providing that the present outstanding bonds of said original Road District No. 1 shall remain a charge against all taxable properties situated within said original district as it existed at the date of the issuance of the present outstanding bonds thereof; providing that the commissioners court of Hidalgo county shall continue to levy,

assess and collect, annually, sufficient taxes to pay the interest thereon and provide sinking funds sufficient to pay the principal at maturity, said taxes to be levied and collected upon all the property situated in said district as it existed at the time of the issuance of the present outstanding bonds; providing that said district hereby created shall have authority to issue serial bonds for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof, upon a vote of two-thirds majority of the resident property taxpayers voting thereon, who are qualified electors of said district as herein defined; providing for the levy and collection of taxes sufficient to pay the interest on, and provide a sinking fund therefor, such bonds and taxes to be a charge against all property, real and personal, situated in the hereinafter defined district, and declaring an emergency."

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, May 26, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 27, A bill to be entitled "An Act creating Road District No. 1, in Wheeler county, Texas; validating and approving all orders made by the commissioners court of said county, in respect to the organization of said district; validating the authorization, issuance, and sale of certain road bonds thereof and providing for their payment by the annual levy, assessment and collection of general ad valorem taxes on all taxable property in said road district; approving and validating all orders of the commissioners court of said county in respect to said road district, bonds and taxes, or certified copies thereof, and constituting such orders legal evidence; evidencing proof of publication of constitutional notice required in such acts, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, May 26, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 28, A bill to be entitled "An Act creating Road District No. 2, in Wheeler county, Texas; validating and approving all orders made by the commissioners court of said county in respect to the organization of said district; validating the authorization, issuance, and sale of certain road bonds thereof, and providing for their payment by the annual levy, assessment and collection of general ad valorem taxes on all taxable property in said road district," etc.,

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, May 26, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 29, A bill to be entitled "An Act creating Road District No. 2, in Wheeler county, Texas; validating and approving all orders made by the commissioners court of said county in respect to the organization of road district; validating the authorization, issuance, and sale of certain road bonds thereof and providing for their payment by the annual levy, assessment and collection of general ad valorem taxes on all taxable property in said road district; approving and validating all orders of the commissioners court of said county in respect of said road district, bonds and taxes, or certified copies thereof, and constituting such orders legal evidence; evidencing proof of publication of constitutional notice required in such acts, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

#### ELEVENTH DAY.

(Continued.)

(Friday, May 27, 1927.)

The House met at 9 o'clock a. m. and was called to order by Speaker Bobbitt.

#### HOUSE BILL NO. 37 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,